

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1164

4  
5 By: Joint Budget Committee

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR STATE TURNBACK FOR  
10 COUNTIES AND MUNICIPALITIES FOR THE BIENNIAL PERIOD ENDING  
11 JUNE 30, 1999; AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE STATE TURNBACK FOR  
15 COUNTIES AND MUNICIPALITIES  
16 APPROPRIATION FOR THE 1997-99 BIENNIUM."

17  
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19  
20 SECTION 1. APPROPRIATIONS. There is hereby appropriated, to the Office  
21 of the Treasurer of State, to be payable from the County Aid Fund, for the  
22 purpose of distributing General Revenue accruing therein for the benefit of  
23 Counties, as provided by law, by the Office of the Treasurer of State for the  
24 biennial period ending June 30, 1999, the following:

26 ITEM	27 FISCAL YEARS	
	<del>1997-98</del>	<del>1998-99</del>
28 (01) GENERAL REVENUES -- COUNTIES	<u>\$ 21,552,313</u>	<u>\$ 21,552,313</u>

29 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Office  
30 of the Treasurer of State, to be payable from the County Aid Fund, for the  
31 purpose of distributing any monies provided by Highway Turnback, Severance  
32 Taxes to Counties, and any other monies provided by the Acts of the General  
33 Assembly for the benefit of counties by the Office of the Treasurer of State  
34 for the biennial period ending June 30, 1999, the following:

35  
36 ITEM FISCAL YEARS

1	NO.	1997-98	1998-99
2	<del>(01) SPECIAL REVENUES COUNTIES</del>	<del>\$ 100,000,000</del>	<del>\$ 100,000,000</del>

3 SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Office  
4 of the Treasurer of State, to be payable from the County Aid Fund, from  
5 unanticipated monies received from the sale or lease of minerals, oil and gas  
6 on federal military lands or from other unanticipated special revenues, for  
7 the transfer to those counties to which such monies are allocated by law, for  
8 the biennial period ending June 30, 1999, the following:

9			
10	ITEM	FISCAL YEARS	
11	NO.	1997-98	1998-99
12	(01) UNANTICIPATED SPECIAL REVENUES	<u>\$ 20,000,000</u>	<u>\$ 20,000,000</u>

13 ~~SECTION 4. APPROPRIATIONS. There is hereby appropriated, to the Office~~  
14 of the Treasurer of State, to be payable from the County Aid Fund, from monies  
15 received from the sale or lease of minerals, oil and gas on federal military  
16 lands to the County Road Fund of the counties to which such monies are  
17 allocated by law, for the biennial period ending June 30, 1999, the sum of  
18 ..... \$1,500,000.

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20 SECTION 5. APPROPRIATIONS. There is hereby appropriated, to the Office  
21 of the Treasurer of State, to be payable from the County Aid Fund, from monies  
22 received from the sale or lease of minerals, oil and gas on federal military  
23 lands to the County Treasurer of the counties to which such monies are  
24 allocated by law, for distribution to the various taxing units of said county  
25 as provided by law, for the biennial period ending June 30, 1999, the sum of .  
26 ..... \$2,500,000.

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28 SECTION 6. APPROPRIATIONS. There is hereby appropriated, to the Office  
29 of the Treasurer of State, to be payable from the Municipal Aid Fund, for the  
30 purpose of distributing General Revenue accruing therein for the benefit of  
31 municipalities as provided by law, by the Office of the Treasurer of State,  
32 for the biennial period ending June 30, 1999, the following:

33			
34	ITEM	FISCAL YEARS	
35	NO.	1997-98	1998-99

1 (01) GENERAL REVENUES -- CITIES \$ 30,136,193 \$ 30,136,193

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3 SECTION 7. APPROPRIATIONS. There is hereby appropriated, to the Office  
 4 of the Treasurer of State, to be payable from the Municipal Aid Fund, for  
 5 distributing Special Revenues accruing therein for the benefit of  
 6 municipalities, as provided by law, by the Office of the Treasurer of State  
 7 for the biennial period ending June 30, 1999, the following:

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9 ITEM	FISCAL YEARS	
10 NO.	1997-98	1998-99
11 (01) SPECIAL REVENUES -- CITIES	<u>\$ 100,000,000</u>	<u>\$ 100,000,000</u>

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13 SECTION 8. SPECIAL LANGUAGE. The appropriation authorized in Sections  
 14 4 and 5 of this Act or any other appropriation as provided by the General  
 15 Assembly for aid to counties may be supplemented, if necessary, by a transfer  
 16 from the appropriation provided for in Section 3 of this Act.

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18 SECTION 9. SPECIAL LANGUAGE. On July 1 of each fiscal year of the  
 19 biennial period ending June 30, 1999, the Chief Fiscal Officer of the State  
 20 shall request a transfer by the State Treasurer from the Budget Stabilization  
 21 Trust Fund to the County Aid Fund and to the Municipal Aid Fund to assist the  
 22 various cities and counties in meeting cash flow needs early in the state  
 23 fiscal year. The transfer shall be a loan to be repaid in equal installments  
 24 from general revenue distributions each month during the fiscal year for which  
 25 the loan was made and shall be in addition to any other loans authorized by  
 26 law for the County Aid and Municipal Aid Funds. The amount of such loan for  
 27 each fiscal year shall be \$3,517,657 to the Municipal Aid Fund and \$1,906,079  
 28 to the County Aid Fund, or so much thereof as may be available in the Budget  
 29 Stabilization Trust Fund as determined by the Chief Fiscal Officer of the  
 30 State. Upon such transfer being completed, the State Treasurer shall  
 31 immediately distribute such funds to each of the several municipalities and  
 32 counties in the same manner as general revenues are distributed.

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34 It is the intent of the General Assembly that the Chief Fiscal Officer  
 35 of the State and the State Treasurer shall make every reasonable, and

1 financially sound effort to insure that local governments receive the full  
2 amount of the loan authorized herein on July 1 of each year and that the  
3 monies authorized for local governments from general revenues be distributed  
4 in equal monthly payments.

5

6 SECTION 10. SPECIAL LANGUAGE. POLICE PROTECTION. None of the funds  
7 appropriated in Sections 6 and 7 of this Act may be disbursed to any  
8 municipality which fails to provide adequate police protection for State  
9 property located within its corporate limits.

10

11 SECTION 11. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
12 authorized by this Act shall be limited to the appropriation for such agency  
13 and funds made available by law for the support of such appropriations; and  
14 the restrictions of the State Purchasing Law, the General Accounting and  
15 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
16 Procedures and Restrictions Act, or their successors, and other fiscal control  
17 laws of this State, where applicable, and regulations promulgated by the  
18 Department of Finance and Administration, as authorized by law, shall be  
19 strictly complied with in disbursement of said funds.

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21 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General  
22 Assembly that any funds disbursed under the authority of the appropriations  
23 contained in this Act shall be in compliance with the stated reasons for which  
24 this Act was adopted, as evidenced by the Agency Requests, Executive  
25 Recommendations and Legislative Recommendations contained in the budget  
26 manuals prepared by the Department of Finance and Administration, letters, or  
27 summarized oral testimony in the official minutes of the Arkansas Legislative  
28 Council or Joint Budget Committee which relate to its passage and adoption.

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30 SECTION 13. CODE. All provisions of this Act of a general and  
31 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the  
32 Arkansas Code Revision Commission shall incorporate the same in the Code.

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34 SECTION 14. SEVERABILITY. If any provision of this Act or the  
35 application thereof to any person or circumstance is held invalid, such

1 invalidity shall not affect other provisions or applications of the Act which  
 2 can be given effect without the invalid provision or application, and to this  
 3 end the provisions of this Act are declared to be severable.

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5 SECTION 15. GENERAL REPEALER. All laws and parts of laws in conflict  
 6 with this Act are hereby repealed.

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8 SECTION 16. EMERGENCY CLAUSE. It is hereby found and determined by the  
 9 Eighty-First General Assembly, that the Constitution of the State of Arkansas  
 10 prohibits the appropriation of funds for more than a two (2) year period; that  
 11 the effectiveness of this Act on July 1, 1997 is essential to the operation of  
 12 the agency for which the appropriations in this Act are provided, and that in  
 13 the event of an extension of the Regular Session, the delay in the effective  
 14 date of this Act beyond July 1, 1997 could work irreparable harm upon the  
 15 proper administration and provision of essential governmental programs.  
 16 Therefore, an emergency is hereby declared to exist and this Act being  
 17 necessary for the immediate preservation of the public peace, health and  
 18 safety shall be in full force and effect from and after July 1, 1997.

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